

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF NextGen 1.6.3
Eastern Division**

UNITED STATES OF AMERICA

Plaintiff,

v.

Case No.: 1:19-cr-00669

Honorable Edmond E. Chang

Gregg Smith, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Monday, January 23, 2023:

MINUTE entry before the Honorable Edmond E. Chang as to Michael Nowak: On review of Defendants Smith and Nowak's motion [827] to preclude adjustment of the government's version, the motion is denied but the sentencing will be continued and the defense of course may respond to the government's supplement. Ideally, the government would have filed an extension motion on its version, or (more aptly) sought an extension to supplement the version with the loss calculation while submitting a version with all other components. The defense could have held off on the loss calculation too and done the same. The grounds for an extension were more than sufficient, given the preparation for the then-pending Jordan trial. In any event, in light of the apparent importance of the loss calculation, whether under the Sentencing Guidelines or 18 U.S.C. 3553(a), the filing of the government's supplemental version is accepted. The Defendants may provide the Probation Office with the defense's supplemental version in response by 02/23/2023 (the defense may seek an extension if that deadline is a problem). The PSR then would be due by 03/06/2023. For sentencing memorandum, rather than the prior simultaneous cross-briefing, the government's sentencing memorandum is due on 03/20/2023. The Defendants' respective sentencing memoranda are due on 04/10/2023. The government's reply is due on 04/17/2023. The defense may each file a 10-page sur-reply on 04/24/2023. Defendant's Smith sentencing is reset to 05/02/2023 at 9:30 a.m. Defendant Nowak's sentencing is reset to 05/03/2023 at 9:30 a.m. Emailed notice (mw,)

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